

## UNITED STATES DISTRICT COURT

for the  
District of MarylandRECEIVED  
USMS-PRIS OPS  
BALTIMORE, MD

United States of America

v.

MARK CARPENTER

Defendant

2013 APR -9 P 2:28

Case No. 13-704BPG

## ORDER SETTING CONDITIONS OF RELEASE

IT IS ORDERED that the defendant's release is subject to these conditions:

- (1) The defendant must not violate any federal, state or local law while on release.
- (2) The defendant must cooperate in the collection of a DNA sample if the collection is authorized by 42 U.S.C. § 14135a.
- (3) The defendant's residence must be approved by the U.S. Pretrial Services Officer (USPTO) supervising the defendant's release and the defendant must advise the court, defense counsel, and the U.S. attorney in writing before any change in address or telephone number.
- (4) The defendant must appear in court as required and must surrender to serve any sentence imposed

The defendant must appear at (if blank, to be notified) U.S. District Court - W.D. Texas; Pecos,  
TEXAS on Monday, April 15, 2013 at 2:00 p.m.  
 Place Date and Time

## Release on Personal Recognizance or Unsecured Bond

IT IS FURTHER ORDERED that the defendant be released on condition that:

- ☒ (5) The defendant promises to appear in court as required and surrender to serve any sentence imposed.
- ☐ (6) The defendant executes an unsecured bond binding the defendant to pay to the United States the sum of \_\_\_\_\_ dollars (\$ \_\_\_\_\_) in the event of a failure to appear as required or surrender to serve any sentence imposed.

## ADDITIONAL CONDITIONS OF RELEASE

Upon finding that release by one of the above methods will not by itself reasonably assure the defendant's appearance and the safety of other persons or the community,

IT IS FURTHER ORDERED that the defendant's release is subject to the conditions marked below:

- ☒ (7) The defendant is placed in the custody of (name of person or organization): Bill Carpenter  
 at an address approved by the Pretrial Services Office.  
 The defendant must not change that address without advance approval by the Pretrial Services Office who agrees (a) to supervise the defendant in accordance with all of the conditions of release, (b) to use every effort to assure the defendant's appearance at all scheduled court proceedings, and (c) to notify the court immediately if the defendant violates any condition of release or disappears.

Signed: Bill Carpenter  
Custodian or ProxyDate 4/9/13

Tel. No (only if above is an organization)

- ☒ (8) The defendant must:
- ☐ (a) report to the \_\_\_\_\_  
telephone number \_\_\_\_\_, no later than \_\_\_\_\_
- ☒ (b) report on a regular basis to the supervising officer. The defendant shall promptly obey all reasonable directions and instructions of the supervising officer.
- ☐ (c) execute a bond or an agreement to forfeit upon failing to appear as required the following sum of money or designated property: \_\_\_\_\_
- ☐ (d) post with the court the following proof of ownership of the designated property, or the following amount or percentage of the above-described sum \_\_\_\_\_
- ☐ (e) execute a bail bond with solvent sureties in the amount of \$ \_\_\_\_\_
- ☐ (f) maintain or actively seek employment as approved by the U.S. Pretrial Services Officer.
- ☐ (g) maintain or commence an education program.
- ☐ (h) surrender any passport to: \_\_\_\_\_
- ☐ (i) obtain no passport.
- ☐ (j) abide by the following restrictions on personal association, place of abode, or travel: \_\_\_\_\_
- ☐ (k) avoid all contact, directly or indirectly, with any person who is or may become a victim or potential witness in the investigation or prosecution, including but not limited to: \_\_\_\_\_
- ☐ (l) undergo medical or psychiatric treatment: \_\_\_\_\_
- ☐ (m) abide by a curfew from \_\_\_\_\_ to \_\_\_\_\_
- ☐ (n) maintain residence at a halfway house or community corrections center, as the pretrial services office or supervising officer considers necessary.
- ☐ (o) refrain from possessing a firearm, destructive device, or other dangerous weapons.
- ☐ (p) refrain from ☐ any ☐ excessive use of alcohol.
- ☐ (q) refrain from use or unlawful possession of a narcotic drug or other controlled substances defined in 21 U.S.C. § 802, unless prescribed by a licensed medical practitioner.
- ☐ (r) submit to any testing required by the pretrial services office or the supervising officer to determine whether the defendant is using a prohibited substance. Any testing may be used with random frequency and include urine testing, the wearing of a sweat patch, a remote alcohol testing system, and/or any form of prohibited substance screening or testing. The defendant must refrain from obstructing or attempting to obstruct or tamper, in any fashion, with the efficiency and accuracy of any prohibited substance testing or monitoring which is (are) required as a condition of release.
- ☐ (s) participate in a program of inpatient or outpatient substance abuse therapy and counseling if the pretrial services office or supervising officer considers it advisable.
- ☒ (t) submit to a location monitoring program
- ☐ (i) as directed by the supervising officer; or
- ☐ (ii) restricted to the residence except for employment, education, religious services, medical purposes, substance abuse testing/treatment, mental health treatment, attorney visits, court appearances, or other court ordered obligations; or
- ☒ (iii) restricted to the residence except for medical purposes, court appearances, or other activities specifically approved by the court/*pretrial services*.
- ☐ (u) Refrain from the use of computer systems, Internet-capable devices and/or similar electronic devices at any location (including employment or educational program) without the prior written approval of the U.S. Probation or Pretrial Services Officer. The defendant shall cooperate with the U.S. Probation and Pretrial Services Office monitoring of compliance with this condition. Cooperation shall include, but not be limited to, participating in a Computer & Internet Monitoring Program, identifying computer systems, Internet-capable devices and/or similar electronic devices the defendant has access to, allowing the installation of monitoring software/hardware at the defendant's expense, and permitting random, unannounced examinations of computer systems, Internet-capable devices and similar electronic devices under the defendant's control.
- ☒ (v) *all conditions of release as imposed by W.D. of Texas - See attached*
- ☒ (w) *further rulings on conditions of release will be addressed by W.D. Texas*

**ADVICE OF PENALTIES AND SANCTIONS**

TO THE DEFENDANT:

YOU ARE ADVISED OF THE FOLLOWING PENALTIES AND SANCTIONS:

Violating any of the foregoing conditions of release may result in the immediate issuance of a warrant for your arrest, a revocation of your release, an order of detention, a forfeiture of any bond, and a prosecution for contempt of court and could result in imprisonment, a fine, or both.

While on release, if you commit a federal felony offense the punishment is an additional prison term of not more than ten years and for a federal misdemeanor offense the punishment is an additional prison term of not more than one year. This sentence will be consecutive (*i.e.*, in addition to) to any other sentence you receive.

It is a crime punishable by up to ten years in prison, and a \$250,000 fine, or both, to: obstruct a criminal investigation; tamper with a witness, victim, or informant; retaliate or attempt to retaliate against a witness, victim, or informant; or intimidate or attempt to intimidate a witness, victim, juror, informant, or officer of the court. The penalties for tampering, retaliation, or intimidation are significantly more serious if they involve a killing or attempted killing.

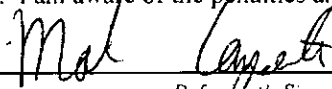
If, after release, you knowingly fail to appear as the conditions of release require, or to surrender to serve a sentence, you may be prosecuted for failing to appear or surrender and additional punishment may be imposed. If you are convicted of:

- (1) an offense punishable by death, life imprisonment, or imprisonment for a term of fifteen years or more - you will be fined not more than \$250,000 or imprisoned for not more than 10 years, or both;
- (2) an offense punishable by imprisonment for a term of five years or more, but less than fifteen years - you will be fined not more than \$250,000 or imprisoned for not more than five years, or both;
- (3) any other felony - you will be fined not more than \$250,000 or imprisoned not more than two years, or both;
- (4) a misdemeanor - you will be fined not more than \$100,000 or imprisoned not more than one year, or both.

A term of imprisonment imposed for failure to appear or surrender will be consecutive to any other sentence you receive. In addition, a failure to appear or surrender may result in the forfeiture of any bond posted.

**Acknowledgment of the Defendant**

I acknowledge that I am the defendant in this case and that I am aware of the conditions of release. I promise to obey all conditions of release, to appear as directed, and surrender to serve any sentence imposed. I am aware of the penalties and sanctions set forth above.



Defendant's Signature

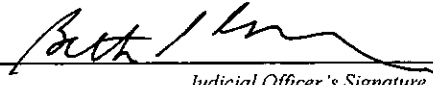
Baltimore, MD.

City and State

**Directions to the United States Marshal**

- ☒ The defendant is ORDERED released after processing.
- ☐ The United States Marshal is ORDERED to keep the defendant in custody until notified by the clerk or judge that the defendant has posted bond and/or complied with all other conditions for release. If still in custody, the defendant must be produced before the appropriate judge at the time and place specified.

Date: April 9, 2013



Judicial Officer's Signature

Beth P. Gesner, United States Magistrate Judge

Printed name and title

FILED

AO 199A (Rev. 6-97) Order Setting Conditions of Release

UNITED STATES DISTRICT COURT  
WESTERN DISTRICT OF TEXAS  
PECOS DIVISION

NOV 02 2012

CLERK, U.S. DISTRICT COURT  
WESTERN DISTRICT OF TEXAS  
5" *M*  
DEPUTY CLERK

United States of America

vs.

(1) Mark Carpenter  
Defendant

§  
§  
§  
§  
§

ORDER SETTING CONDITIONS  
OF RELEASE

Case Number: PE:12-M -00953(1)

IT IS ORDERED that the release of the defendant is subject to the following conditions:

- MIC* (1) The defendant shall not commit any offense in violation of federal, state or local law while on release in this case.
- MIC* (2) The defendant shall immediately advise the court, defense counsel and the U.S. Attorney in writing before any change in address and telephone number.
- MIC* (3) The defendant shall appear at all proceedings as required and shall surrender for service of any sentence imposed as directed. The defendant shall appear (if blank, to be notified)

U.S. Courthouse, Alpine Courtroom, 2450 State Hwy. 118, PECOS, Texas

Place

on

11/8/12 - Pecos, TX 10 a.m.

Date and Time

Release on Personal Recognizance or Unsecured Bond

IT IS FURTHER ORDERED that the defendant be released provided that:

- ( X ) *MIC* (4) The defendant promises to appear at all proceedings as required and to surrender for service of any sentence imposed.

- ( X ) *MIC* (5) The defendant executes an unsecured bond binding the defendant to pay the United States

the sum of TEN THOUSAND DOLLARS dollars (\$ 10,000 )

in the event of a failure to appear as required or to surrender as directed for service of any sentence imposed.

A.D. 1990 (Rev. 5/99) Additional Conditions of Release

## Additional Conditions of Release

Upon finding that release by one of the above methods will not by itself reasonably assure the appearance of the defendant and the safety of other persons and the community.

IT IS FURTHER ORDERED that the release of the defendant is subject to the conditions marked below:

- ( ) (6) The defendant is placed in the custody of:

(Name of person or organization) \_\_\_\_\_

(Address) \_\_\_\_\_

(City and state) \_\_\_\_\_

(Tel. No.) \_\_\_\_\_

who agrees (a) to supervise the defendant in accordance with all the conditions of release, (b) to use every effort to assure the appearance of the defendant at all scheduled court proceedings, and (c) to notify the court immediately in the event the defendant violates any conditions of release or disappears.

Signed: \_\_\_\_\_

Custodian or Proxy

Date

- MIL (X) (7) The defendant shall:

MIL (X) (a) report to the United States Pretrial Services Office  
telephone number (432) 837-3578, no later than immediately upon release.

MIL (X) (b) execute a bond or an agreement to forfeit upon failing to appear as required the following sum of money or designated property:

- ( ) (c) post with the court the following indicia of ownership of the above-described property, or the following amount or percentage of the above-described \_\_\_\_\_

- ( ) (d) execute a bail bond with solvent sureties in the amount of \$ \_\_\_\_\_

MIL (X) (e) maintain or actively seek employment.

- ( ) (f) maintain or commence an education program.

MIL (X) (g) surrender any passport to: U.S. Pretrial Services

- ( ) (h) obtain no passport.

MIL (X) (i) abide by the following restrictions on personal association, place of abode, or travel:

- ( ) (j) No travel outside of the continental United States. No Travel outside of El Paso / Midland County  
avoid all contact, directly or indirectly, with any persons who are or who may become a victim or potential witness in the subject investigation or prosecution, including but not limited to: \_\_\_\_\_

- ( ) (k) undergo medical or psychiatric treatment and/or remain in an institution as follows: \_\_\_\_\_

- ( ) (l) return to custody each (week)day as of \_\_\_\_\_ o'clock after being released each (week)day as of \_\_\_\_\_ o'clock for employment, schooling, or the following limited purpose(s): \_\_\_\_\_

- ( ) (m) maintain residence at a halfway house or community corrections center, as deemed necessary by the pretrial services office or supervising officer.

MIL (X) (n) refrain from possessing a firearm, destructive device, or other dangerous weapons.

MIL (X) (o) refrain from ☒ any ☐ excessive use of alcohol.

MIL (X) (p) refrain from use or unlawful possession of a narcotic drug or other controlled substances defined in 21 U.S.C. § 802, unless prescribed by a licensed medical practitioner.

MIL (X) (q) submit to any method of testing required by the pretrial services office or supervising officer for determining whether the defendant is using a prohibited substance. Such methods may be used with random frequency and include urine testing, the wearing of a sweat patch, a remote alcohol testing system, and/or any form of prohibited substance screening or testing.

MIL (X) (r) participate in a program of inpatient or outpatient substance abuse therapy and counseling if deemed advisable by the pretrial services office or supervising officer.

MIL (X) (s) refrain from obstructing or attempting to obstruct or tamper, in any fashion, with the efficiency and accuracy of any prohibited substance testing or electronic monitoring which is (are) required as a condition(s) of release.

- ( ) (t) participate in one of the following home confinement program components and abide by all the requirements of the program which ☐ will or ☐ will not include electronic monitoring or other location verification system. You shall pay all or part of the cost of the program based upon your ability to pay as determined by the pretrial services office or supervising officer.

- ( ) (i) Curfew. You are restricted to your residence every day ☐ from \_\_\_\_\_ to \_\_\_\_\_, or ☐ as directed by the pretrial services office or supervising officer; or

- ( ) (ii) Home Detention. You are restricted to your residence at all times except for employment; education; religious services; medical, substance abuse, or mental health treatment; attorney visits; court appearances; court-ordered obligations; or other activities as pre-approved by the pretrial services office or supervising officer; or

- ( ) (iii) Home Incarceration. You are restricted to your residence at all times except for medical needs or treatment, religious services, and court appearances pre-approved by the pretrial services office or supervising officer.

MIL (X) (u) Within 24 hours, report to the pretrial services office or supervising officer any contact with any law enforcement personnel, including, but not limited to, any arrest, questioning, or traffic stop.

MIL (X) (v) Travel sticker required (Driver's License) (I.D. Card).

MIL (X) (w) Δ Δ Δ Rosche Odessa, TX

MIL (X) (x) 1001 Frazier Rd

AO 199C (Rev. 12/01) Advice of Penalties and Sanctions

**Advice of Penalties and Sanctions**

TO THE DEFENDANT

YOU ARE ADVISED OF THE FOLLOWING PENALTIES AND SANCTIONS:

A violation of any of the foregoing conditions of release may result in the immediate issuance of a warrant for your arrest, a revocation of release, an order of detention, and a prosecution for contempt of court and could result in a term of imprisonment, a fine or both.

The commission of a Federal offense while on pretrial release will result in an additional sentence of a term of imprisonment of not more than ten years, if the offense is a felony; or a term of imprisonment of not more than one year, if the offense is a misdemeanor. This sentence shall be in addition to any other sentence.

Federal law makes it a crime punishable by up to 10 years of imprisonment, and a \$250,000 fine or both to obstruct a criminal investigation. It is a crime punishable by up to ten years of imprisonment, and a \$250,000 fine or both to tamper with a witness, victim or informant; to retaliate or attempt to retaliate against a witness, victim or informant; or to intimidate or attempt to intimidate a witness, victim, juror, informant, or officer of the court. The penalties for tampering, retaliation, or intimidation are significantly more serious if they involve a killing or attempted killing.

If after release, you knowingly fail to appear as required by the conditions of release, or to surrender for the service of sentence, you may be prosecuted for failing to appear or surrender and additional punishment may be imposed. If you are convicted of:

- (1) an offense punishable by death, life imprisonment, or imprisonment for a term of fifteen years or more, you shall be fined not more than \$250,000 or imprisoned for not more than ten years or both;
- (2) an offense punishable by imprisonment for a term of five years or more, but less than fifteen years, you shall be fined not more than \$250,000 or imprisoned for not more than five years or both;
- (3) any other felony, you shall be fined not more than \$250,000 or imprisoned not more than two years, or both;
- (4) a misdemeanor, you shall be fined not more than \$100,000 or imprisoned not more than one year, or both.

A term of imprisonment imposed for failure to appear or surrender shall be in addition to the sentence for any other offense. In addition, a failure to appear or surrender may result in the forfeiture of any bond posted.

**Acknowledgement of Defendant**

I acknowledge that I am the defendant in this case and that I am aware of the conditions of release. I promise to obey all conditions of release, to appear as directed, and to surrender for service of any sentence imposed. I am aware of the penalties and sanctions set forth above.

  
Signature of Defendant

Address

City and State

Telephone

**Directions to United States Marshal**

- (X) The defendant is ORDERED released after processing.
- ( ) The United States Marshal is ORDERED to keep the defendant in custody until notified by the clerk or judicial officer that the defendant has posted bond and/or complied with all other conditions for release. The defendant shall be produced before the appropriate judicial officer at the time and place specified, if still in custody.

11/2/2012  
Date

  
B. DWIGHT GOINS  
U.S. MAGISTRATE JUDGE